

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS MILLER,

Plaintiff,

v.

RALPH DIAZ, et al.,

Defendants.

Case No. 1:20-cv-01243-KES-HBK (PC)

ORDER GRANTING *EX PARTE* MOTION  
TO EXTEND DISPOSITIVE MOTIONS  
DEADLINE

(Doc. No. 43)

Pending before the Court is Defendants' third motion to modify the current Case Management and Scheduling Order, filed on April 16, 2025. (Doc. No. 43, "Motion"). Defendants' *ex parte* Motion<sup>1</sup> seeks a 30-day extension to the April 21, 2025 dispositive motion deadline due to counsel's current caseload.

On December 16, 2024, the Court previously extended the dispositive motion deadline due to delays in scheduling Plaintiff's deposition. (*See* Doc. No. 41). In the December 16, 2024 Order, the Court granted Defendants' motion to compel and ordered Plaintiff to comply with the deposition notice. (*See id.*). In Defendants' March 3, 2025 status report, Defendants requested that the Court defer setting a settlement conference until their dispositive motion has been ruled on. (Doc. No. 42).

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<sup>1</sup> The Court construes the motion as an administrative motion brought pursuant to Local Rule 233(a).

1       Federal Rule of Civil Procedure 6(b) provides for extending deadlines for good cause  
2 shown if the request to extend time is made before the existing deadline. Fed. R. Civ. P.  
3 6(b)(1)(A). If made after the time has expired, a party must also show excusable neglect. Fed. R.  
4 Civ. P. 6(b)(1)(B). In Defendants' counsel's attached declaration to the Motion, he cites several  
5 case management, responsive motion, and trial-related deadlines in other matters to demonstrate  
6 good cause for the Court to grant an extension due to his current caseload. (Doc. No. 43 at 4-5).  
7 Although many of these deadlines have since expired, the Court finds good cause to grant a 30-  
8 day extension for filing dispositive motions. Fed. R. Civ. P. 16(b)(4).

9       Accordingly, it is ORDERED:

10      Defendants' *Ex Parte* Application for an Extension of Time to File Dispositive Motions  
11 (Doc. No. 41) is GRANTED, to the extent the deadline to file dispositive motions is extended to  
12 May 21, 2025.

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Dated: April 24, 2025

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE

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